

**APPLICATION NUMBER: WSCC/055/20
REGULATION 3**

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

To: haverstock associates LLP
Studio 10
Cliff Road Studios
Cliff Road
London
NW19AN

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development:

Construction of new two storey Special Educational Needs and Disabilities (SEND) College building with associated soft and hard landscaping, a floodlit all-weather pitch, car parking and drop off/pick up facilities and alterations to existing access arrangements at Woodlands Meed College, Birchwood Grove Road, Burgess Hill RH15 0DP

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 1 December 2020 and subject to the conditions specified hereunder:

GENERAL CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

Approved Plans

2. The development shall not take place other than in accordance with the approved plans:
 - Site Location Plan - (dwg. 1191-HAV-ZZ-XX-DR-A 1007 P.1);
 - Proposed Site Plan (Block Plan) – (dwg. 1191-HAV-ZZ-XX-DR-A 1000 P.1);
 - Demolition Site Plan – (dwg. 1191-HAV-ZZ-XX-DR-A 1008 P.1);
 - Elevations – (dwg. 1191-HAV-ZZ-XX-DR-A 2003 P.9);
 - GA Sections – (dwg. 1191-HAV-ZZ-XX-DR-A 2013 P.9);
 - GA Ground Floor Plan (Level 00) – (dwg. 1191-HAV-ZZ-XX-DR-A 1001 P.9);
 - GA First Floor Plan (Level 01) – (dwg. 1191-HAV-ZZ-XX-DR-A 1002 P.9);
 - GA Roof Plan (Level 02) – (dwg. 1191-HAV-ZZ-XX-DR-A 1003 P.9);

Date **27 April 2021** Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

CONTINUATION SHEET

- Landscape Masterplan Stage 3 - (dwg 5190243-ATK-XX-XX-DR-L-1000 Rev P04);
- Landscape Cross Sections Stage 3 - (dwg 5190243-ATK-XX-XX-DR-L-2000 Rev P01);
- Levels Strategy Stage 3 - (dwg 5190243-ATK-XX-XX-DR-L-1010 Rev P01);
- Proposed External Lighting Strategy (dwg. HBS-00-00-DR-E-6302 – REV P0.02); and
- Proposed External Lighting Strategy with Isolux contours (dwg. HBS-00-00-DR-E-6303 – REV P0.02);

and supporting information, save as varied by the conditions hereafter.

Reason: to secure a satisfactory development.

PRIOR TO THE COMMENCEMENT OF DEVELOPMENT

Construction Management Plan

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. Thereafter, the approved Plan shall be implemented in full and adhered to throughout the entire construction and demolition period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 1. the anticipated number, frequency and types of vehicles used during construction and demolition;
 2. the method of access and routing of vehicles during construction (note, during construction and demolition, Birchwood Grove Road should be avoided);
 3. the parking of vehicles by site operatives and visitors;
 4. the loading and unloading of plant, materials and waste;
 5. the storage of plant and materials used in construction and demolition of the development;
 6. the erection and maintenance of security hoarding;
 7. the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 8. details of public engagement both prior to and during construction and demolition works;
 9. site working hours and a named person for residents to contact;
 10. detailed site logistics arrangements, including for school pick-up/drop-off;
 11. Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors together with arrangements for ongoing continuous monitoring of construction noise impacts against suitable noise targets in accordance with BS5228 Code of Practice for Noise and Vibration control and provision of monitoring results to the County Planning Authority;

Date **27 April 2021** Signed: **Michael Elkington**, Head of Planning Services

CONTINUATION SHEET

12. Details of hours of work, site delivery hours and other measures to mitigate the impact of construction and demolition on the amenity of the area and safety of the highway network;
13. Communication procedures with community regarding key construction and demolition issues;
14. Details of all proposed external lighting to be used during construction and demolition and measures used to limit the disturbance of any lighting required; lighting shall be used only for security and safety; and
15. Waste management including prohibition of burning at the scheme, and for the storage and disposal of waste providing maximum recycling opportunities and disposal and control of litter.

Reason: In the interests of highway safety and the amenities of the area.

Drainage Strategy

4. No works shall commence on site until a Drainage Strategy for surface water has been submitted to and approved in writing by the County Planning Authority. The Drainage Strategy shall accord with the LLFA Policy for the Management of Surface Water. Thereafter, the approved Drainage Strategy shall be implemented in full and maintained throughout the lifetime of the development.

Reason: To ensure that the development does not result in an increase in flooding off site.

Tree Protection

5. No development shall take place until an Arboricultural Method Statement in accordance with BS5837:2012 (Trees in relation to design, demolition and construction – recommendations) has been submitted to and approved in writing by the County Planning Authority. The Arboricultural Method Statement shall identify and detail all trees/hedgerows/groups to be retained and the measures to ensure their retention and protection in accordance with BS5837:2012, including full details of root protection areas, tree works, protective fencing, location of services/utilities/drainage, scaffolding and ground protection within tree protection zones, construction within the RPAs or that may impact on retained trees, details of site access, temporary parking, onsite welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires. Thereafter, the approved Arboricultural Method Statement shall be implemented in full.

Reason: To protect existing trees and shrubs in the interests of the visual amenity and landscape of the locality.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

Schedule of Materials and Finishes

6. No development, other than groundworks, shall be carried out until a schedule of materials and finishes and, where so required by the County Planning Authority, samples of such materials and finishes to be used for external walls, roofs, fencing and surfacing materials (including paths, hard play areas/courts, car park and access roads) of the proposed development have been submitted to and

CONTINUATION SHEET

approved in writing by the County Planning Authority. Thereafter, the approved materials schedule shall be adhered to in full.

Reason: In the interests of local amenity and to ensure a development of visual quality

PRIOR TO OCCUPATION/USE OF SITE

Community Use Agreement

7. Use of the development shall not commence until a Community Use Agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the County Planning Authority, and a copy of the completed approved agreement has been provided to the County Planning Authority. The agreement shall apply to the All Weather Pitch, MUGA, sports hall and hydrotherapy pool and associated change and WC facilities; and include details of, but not limited to, pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. Thereafter, the development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy

School Travel Plan

8. No part of the new development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the County Planning Authority. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. Thereafter, the approved Travel Plan shall be implemented in full.

Reason: To encourage and promote sustainable transport.

Landscaping Scheme

9. No part of the development shall be first occupied until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall include but not be limited to details of species, planting sizes, numbers, spacing, planting rate and densities, typical layout matrices if appropriate, plant protection, tree pit design, soil amelioration / improvement, biosecurity, on-going maintenance provision and the finish of all new hard surfacing, referring to all relevant and current British Standards. Thereafter, the approved scheme shall be implemented in full with all planting carried out in the first planting season (November to February) following the commencement of the development. Any plants or turf or seeding which die, fail to establish, are removed or become seriously damaged or diseased within the first five years shall be replaced in the next planting season with others of a similar size and species.

Reason: To safeguard and enhance the amenity and character of the area, to provide ecological, environmental and biodiversity benefits and maximise the quality of open space within the development and to enhance its setting within the immediate locality.

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Flood Lighting

10. Prior to the use of the all-weather pitch, a lighting scheme must be submitted to and approved in writing by the County Planning Authority. The scheme must be designed by a suitably qualified person and accord with the recommendations for environmental zone E2 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2020" and shall provide details of lux levels and times of use together with a report to demonstrate its effect on nearby residential properties. Thereafter, the approved scheme shall be implemented in full and adhered to throughout the lifetime of the development.

Reason: To safeguard the amenity of adjoining residential properties.

Hours of Use (Floodlit AWP, MUGA, sports hall and hydrotherapy pool)

11. The all-weather pitch and its associated floodlights, the MUGA, sports hall and hydrotherapy pool shall not to be used outside the hours of 8.00 till 21.00 Monday to Friday; 10.00 to 18.00 on Saturdays, and 10.00. to 16.00 on Sundays and Bank Holidays.

Reason: To safeguard the amenity of adjoining residential properties.

Sports Provision Protection

12. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or any order amending, revoking or re-enacting that order), the All Weather Pitch and the MUGA shall not be used other than for sport.

Reason: To protect the sports facility from a change of use to a non-sporting use that would be inappropriate to justify the loss of the grass playing field land in accordance with paragraph 97 of the NPPF, and to accord with Development Plan Policy

Plant Noise and Specifications

13. Prior to occupation and use of the development hereby approved, details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment including fans, ducting and external openings, compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved in writing by the County Planning Authority. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the background sound level at any adjoining or nearby noise sensitive premises when measured according to British Standard BS4142: 2014. Thereafter, the approved plant, machinery and equipment shall be installed and maintained throughout the lifetime of the development.

Reason: In the interests of the amenity of the locality and of local residents.

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Noise Monitoring and Mitigation

14. Prior to occupation and use of the development hereby approved, a scheme for monitoring noise generated by school and community use of the MUGA and the all-weather pitch shall be submitted to and approved in writing by the County Planning Authority. The scheme must be designed by a suitably qualified person and identify sensitive receptors, monitoring locations, monitoring times, and the monitoring period. Thereafter, the approved monitoring scheme shall be implemented in full, with a report submitted to the County Planning Authority at the end of the monitoring period. Should the report indicate that noise at the receptors is unacceptable when assessed according to the Sport England Artificial Grass Pitch Acoustics – Planning Implications (2015) document, details of acoustic fencing to mitigate use of the MUGA and/or the all-weather pitch shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the approved fencing shall be installed and maintained throughout the lifetime of the development.

Reason: In the interests of the amenity of the locality and of local residents.

INFORMATIVES

- a) In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:
- Providing pre-application advice;
 - Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
 - Discussing issues of concern as early as possible, including those raised by consultees and third parties;
 - Giving them the opportunity to provide further information/changes to overcome material impacts; and
 - Working with consultees

As a result, the County Planning Authority has been able to recommend the grant of planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- b) The granting of any planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact Mid Sussex District Council Environmental Health Department. The developer should at all time employ best practical means to minimise noise disturbance to nearby residents. All construction work practises should comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning.

APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

1 Appeals to the Secretary of State

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at www.planning-inspectorate.gov.uk or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

2 Purchase Notices

- (a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

- 3 Further correspondence about this application should quote the reference number at the top right hand corner of the form.